

(\$28,125.00) Dollars each, executed by said L. P. Featherstone, said notes being due and payable respectively one (1) year, eighteen (18) months, and two (2) years after their date, with interest at six (6%) per cent per annum, and said notes containing provision for maturity in case of default, and to secure payment of said notes, as well as the performance of the other terms and conditions of said sale, said L. P. Featherstone executed and delivered a bond in the sum of One Hundred Thousand (\$100,000.00) Dollars in favor of the State of Texas, with the following sureties thereon:

S. G. Burnett, C. T. Haisig, Joe Rosenthal, H. A. Perlstien, Ed Paggi, Hal. G. Land, B. A. Steinhagen, and John L. Keith, all of Beaumont, Texas, and

Whereas, Said property has been conveyed by L. P. Featherstone to R. S. Collins and W. H. Lantz, receivers, of Texas Steel Company; and

Whereas, Said receivers of Texas Steel Company and said L. P. Featherstone were not prepared to make payment of the first note above described at its maturity, which became due to the State as aforesaid on March 16, 1921, but the above mentioned sureties on said bond made full payment of said note, together with interest thereon, as well as upon the other two notes to last mentioned date; and

Whereas, The said receivers of the Texas Steel Company, and said L. P. Featherstone, and the said sureties on his aforesaid bond, have expressed a desire, owing to the extreme business depression and financial stringency at present prevailing, to have the maturity of the second and third notes above described extended for a period of two (2) years, so that the second of said notes will mature on September 16, 1923, and the third of said notes will mature on March 16, 1925; therefore be it

Resolved by the House of Representatives of the Thirty-seventh Legislature, the Senate concurring, That the Governor and Prison Commission be and are hereby requested and directed to extend said notes maturing eighteen (18) months, and two (2) years, respectively after their date, so that they will mature respectively on or before September 16, 1923, and on or before March 16, 1924, conditioned upon the prompt payment of interest upon said notes as same accrues and becomes payable annually, and conditioned further upon the said L. P. Featherstone and

the said sureties upon his aforesaid bond and the said R. S. Collins and W. H. Lantz, as receivers of the Texas Steel Company, executing and delivering to the Prison Commission an instrument in writing consenting and agreeing to the aforesaid extension; and it being expressly stipulated that the aforesaid extension shall not be granted except on full compliance with the foregoing conditions, and shall not release the sureties on the original obligation, and provided such extension agreement shall be prepared and approved by the Attorney General of the State of Texas.

#### FIFTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, July 22, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Bailey.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Willis.
Dudley.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Carlock.	Murphy.
Dorough.	Williams.
Fairchild.	

Prayer by Dr. Barcus of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

#### Excused.

On account important business:  
Senator Murphy until Monday.  
Senator Williams until Monday.  
Senator Fairchilds until Monday.

#### Bills and Resolutions.

By Senator Burkett, by request:  
S. B. No. 10, A bill to be entitled

"An Act to apportion the State of Texas into Senatorial Districts; to specify the county to which returns of an election shall be sent, on which the county judge shall issue certification of election; and repealing all laws in conflict herewith."

Read first time and referred to Committee on Senatorial Redistricting.

By Senator Burkett, by request:

S. B. No. 11, A bill to be entitled "An Act to amend Section 31 of Chapter 78 of the laws of the Second Called Session of the Thirty-sixth Legislature by repealing said Section 31 and inserting a new section providing for the prohibition of the manufacturing, sale, barter, exchange, transportation, exportation, solicitation, taking orders for, furnishing and possession of intoxicating liquors except for medicinal, mechanical, sacramental or scientific purposes; and further providing that it shall not be necessary to negative exceptions nor to negative and disprove the issuance of permits in prosecutions under this law; and further providing that the conviction of any person charged with selling intoxicating liquors under this law may be convicted upon the unsupported testimony of the purchaser; and further providing that no person convicted under the provisions of this Act shall have the benefit of a suspended sentence."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Burkett, by request:

S. B. No. 12, A bill to be entitled "An Act amending Chapter 2, of Title 98, Revised Civil Statutes of the State of Texas of 1911, by adding thereto Articles 6057a and 6057b providing that any district, county or precinct officer guilty of wilfully and corruptly failing to discharge his official duties may be removed from office by suit filed by the Attorney General, and providing that it shall be the duty of the Attorney General to file such suit in the name of the State of Texas in any District Court in the Supreme Judicial District in which the officer sought to be removed resides, after having given such officer the right to be heard before filing suit; and further provid-

ing for the method of citation and procedure with reference to such removal."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 13, A bill to be entitled "An Act amending Section 5 of An Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled: 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting,' being H. B. No. 457, Chapter 157, of said Regular Session Laws, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bledsoe:

S. B. No. 14, A bill to be entitled "An Act to amend Chapter 87 General Acts of the Regular Session of the Thirty-fifth Legislature providing for organization and government of water improvement and irrigation districts, and amended by subsequent statutes, by adding to said statutes new sections to be known as Sections 138 and 139, relating to the power of water improvement and irrigation districts organized under the conservation amendment to incur debt and issue bonds, and validating proceedings of districts heretofore had, and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Darwin:

S. B. No. 15, A bill to be entitled "An Act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophora gossypiella*, Sanders, known as and hereinafter referred to as pink bollworm and to control and eradicate such insect pest when and where discovered in this State; defining the pink bollworm and defining cotton or cotton products, declaring the policy of the State in its efforts to control and eradicate the pink bollworm; providing for the supervision of the planting and growing of cotton or the prevention of the growing of cotton near the Texas border adjacent to infestation of the pink boll-

worm without the State of Texas; authorizing the Governor to issue quarantine proclamation against cotton products and other things liable to carry the pink bollworm, originating in infested areas outside the State of Texas; providing for emergency quarantine against cotton or cotton products contaminated or infested with such pests; providing for the destruction of cotton, cotton products or cotton fields infested or contaminated with pink bollworm and for the appraisal and payment for such destruction; providing for the supervision of the growing of cotton or the prevention of the planting of cotton in areas within this State infested or contaminated with pink bollworm; providing for the payment by the State of damages to persons prevented from producing cotton and defining the method of adjusting such claims as may arise; providing for the appointment of a Compensation Claim Board and defining its duties; providing for the appointment of a Pink Bollworm Commission and defining its duties; providing for the inspecting of cotton products; making it the duty of the Commissioner of Agriculture to make adequate investigation to determine the presence of the pink bollworm within this State and giving him authority to employ inspectors and other assistants; providing a penalty for the violations of the provisions of this Act; fixing the venue in all cases arising under the provisions of this Act; making it the duty of the Commissioner of Agriculture to co-operate with the Secretary of Agriculture of the United States in any measure authorized and to be undertaken to prevent the introduction of the pink bollworm into Texas; making an appropriation; repealing all laws in conflict with this Act; providing for the continuation of such measures for control and eradication of the pink bollworm as are in force when this law becomes effective, and declaring an emergency."

Read the first time and referred to Committee on Agricultural Affairs.

By Senator Hertzberg:

S. B. No. 16, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-

fifth Legislature as amended by Section 2, of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and as amended by Section 1, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature and as amended by Chapter 131 of the General Laws of the Thirty-seventh Legislature, providing for and increasing the annual license fee on commercial motor vehicles; providing for applications for registration, how and when said applications shall be made; defining a commercial motor vehicle, naming the net carrying capacity of such vehicles and the annual license fees to be charged in each instance; providing for annual license fee for trallers and semi-trailers; providing for fees to be paid on certain motor busses; and providing penalties for failure to comply with provisions of this Act; and providing that the provisions of this Act shall not apply to tractors used for agricultural purposes and road building; providing method of determining horse power of certain vehicles; also providing basis of weight and how to settle disputed classifications; providing certain prescribed vehicles shall not be licensed or operated on public roads and providing penalties for violating said Act; and providing for exceptions and special permits; and that liability shall attach for damages to highways and bridges in certain instances; and providing for the installation and maintenance of rear view mirrors; and providing that vehicles shall not be operated when one or more pneumatic tires are off, or when solid tires are less than one inch thick at any point and providing penalties for violation of such provisions; and providing that County Road Engineers or County Road Superintendents, by posting notices, may have the authority in wet weather to prohibit the use of any highway or portion thereof, to loads of such maximum weight as will unduly damage such highway or portion thereof in wet weather; and repealing Section 16a added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature and amended by Section 2

of Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature which provided for registration of commercial motor vehicles and trailers operating over highways in this State in one or more counties; giving routes and providing for bond, conditioned for payment of fees due and to become due; provided for keeping of records by owner of commercial motor vehicles operating in one or more counties, showing miles traveled in each county, and report thereof, and provided for an increase of the speed limit per hour for vehicles of certain maximum weight when equipped with pneumatic tires and when equipped with solid tires; providing penalties for violating provisions of this Act; and repealing Section 4 of Chapter 131 of the General Laws of the Regular Session of the Thirty-seventh Legislature which provided fee per mile for net carrying capacity in pounds of each stated vehicle and provided for diversion and distribution of mileage fees among certain counties; and providing penalties for violating provisions of this Act and repealing all laws in conflict with this Act and declaring an emergency."

Read the first time and referred to Committee on Criminal Jurisprudence.

#### Simple Resolution No. 10.

By Senators Bledsoe, Baugh, Willis, Witt and Rogers:

Whereas, the bodies of many of the American soldiers who lost their lives in, or died, during the recent World War are now being returned to this country for burial, and many of the funerals are being conducted from the private reception room of the Governor in the State Capitol, which is inadequate, it is believed by the Senate of Texas that every honor should be paid to our distinguished dead, and that adequate provisions should be made for the conducting of their funerals. Therefore, be it

Resolved by the Senate of the State of Texas, that the use of the Senate Chamber be, and the same is hereby extended to the Travis Post of the American Legion, and the families of any soldier whose funeral may be conducted from the State Capitol; and that during the

session of the Senate proper adjournment be made for the purpose of conducting such funerals; and that during the recess of the Senate, the Board of Control of the State of Texas be, and it is hereby directed to tender the use of the Senate Chamber to said Post and to said families for the purpose of conducting such funerals during the time when the Senate is not in session.

The resolution was read and unanimously adopted by rising vote.

#### Simple Resolution No. 11.

By Senator Woods:

Whereas, on the opening day of the First Called Session of the Thirty-seventh Legislature, Captain John Faulk served the Senate as temporary assistant doorkeeper by special appointment made by the President of the Senate. Therefore, be it

Resolved, that said John Faulk be allowed the sum of five dollars for said one day's service as said temporary assistant doorkeeper, for which warrant shall be issued.

The resolution was read and adopted.

Morning call concluded

#### Appointments By Lieutenant Governor.

Pursuant to instructions of the Senate of July 21, I hereby announce the appointment of the following stenographers to the Engrossing and Enrolling Committee:

Miss Faith Adams.

Miss Lela May Reese.

LYNCH DAVIDSON.

Lieutenant Governor.

#### Senate Concurrent Resolution No. 2.

The Chair laid before the Senate, S. C. R. No. 2, Relating to the extending the time for payment on the purchase price for the Rusk Iron Works. (See Journal of yesterday, in Committee Reports, for resolution in full.)

The resolution was laid on the table subject to call.

#### Senate Bill No. 5.

The Chair laid before the Senate on second reading,

S. B. No. 5, A bill to be entitled "An Act making an appropriation for

the State Superintendent of Public Instruction for the purpose of paying the expenses of taking the scholastic census in any district or locality when deemed necessary to do so by said State Superintendent of Public Instruction, and declaring an emergency."

The committee report was adopted. Senator Woods offered the following amendment, which was read and adopted:

Amend Senate Bill No. 5 by striking out the following words in Section 1, thereof: "Said State Superintendent of Public Instruction," and insert in lieu thereof the following words: "The State Board of Education."

The bill was read second time and passed to engrossment.

Senator Bledsoe made the point of order that the bill was not properly before the Senate since the rules require that all printed bills lie over for one day before consideration and that this bill was received from the printer this day.

The Chair sustained the point of order.

Senator Bledsoe moved to reconsider the vote by which the bill was passed to engrossment, which motion prevailed.

Senator Wood moved that the Senate rule requiring printed bills to lie over for one day be suspended for the purpose of considering this bill.

The motion was adopted.

Action then recurred on Senate Bill No. 5, on second reading.

The amendment by Senator Woods was adopted.

The bill was passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 5 put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Suiter.
Floyd.	Watts.

Willis.	Wood.
Witt.	Woods.

Nays—4.

Burkett.	Doyle.
Clark.	Hall.

Absent—Excused.

Carlock.	Murphy.
Dorough.	Williams.
Fairchild.	

Senator Woods offered the following amendment, which was read and adopted by unanimous consent:

Amend the caption of the bill by striking out the words "said State Superintendent of Public Instruction," and insert "State Board of Education."

The bill was finally passed by the following vote:

Yeas—22.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Page.
Buchanan.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Willis.
Dudley.	Witt.
Floyd.	Wood.
Hertzberg.	Woods.

Nays—4.

Burkett.	Hall.
Clark.	Parr.

Absent—Excused.

Carlock.	Murphy.
Dorough.	Williams.
Fairchild.	

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, July 22, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 3, Relating to "Texas Founders' Day."

Respectfully submitted,

CARL PHINNEY,  
Chief Clerk House of Representatives.

**Adjournment.**

On motion of Senator Rogers the Senate, at 11:00 o'clock a. m., adjourned until 10:00 o'clock Monday morning.

**SIXTH DAY.**

Senate Chamber,  
Austin, Texas,  
Monday, July 25, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Bailey.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Burkett.	Richards.
Clark.	Rogers.
Cousins.	Suiter.
Darwin.	Watts.
Davidson.	Williams.
Doyle.	Willis.
Dudley.	Witt.
Floyd.	Wood.
Hall.	Woods.

**Absent.**

Fairchild.

**Absent—Excused.**

Carlock.	Murphy.
Dorough.	Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of Friday, the same was dispensed with on motion of Senator Darwin.

**Excused.**

On account of important business:  
Senator Murphy for today.  
Senator Parr for today.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, July 25, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 8, A bill to be entitled "An Act to amend Articles 24 and 25, Revised Civil Statutes of Texas, 1911, apportioning the State of Texas

into Senatorial Districts; declaring what counties shall constitute each Senatorial District; providing for returns of elections; repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,  
CARL PHINNEY,  
Chief Clerk House of Representatives.

**Bills Read and Referred.**

The Chair (President Pro Tem. Bailey) had referred, after the caption had been read, the following House Bill:

H. B. No. 8, Referred to Committee on Senatorial Redistricting.

**Bills and Resolutions.**

By Senator Davidson:

S. B. No. 18, A bill to be entitled "An Act to provide a systematic method of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State. Providing for a budget system for the road and bridge fund of the counties, and providing for its proper safeguard and expenditure. Providing for the office of county road superintendent, and defining his duties and powers, empowering him to work county convicts upon the public roads. Authorizing and directing the commissioners' court to provide for needs and equipments of the road superintendent and patrolmen so employed. Prescribing the duties and liabilities of all persons subject to road duty, and fixing penalties for the violation or neglect of such duties so imposed. Repealing all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Dudley:

S. B. No. 17, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1st, 1921, and ending August 31st, 1923, as follows: Confederate Woman's Home, State Confederate Home, State Lunatic Asylum, State Pasteur Institute,